

REMARKS

The Official Action of October 23, 2001, and the prior art relied upon therein have been carefully studied. The claims in the application are now claims 4-8, and these claims define patentable subject matter warranting their allowance. Applicants accordingly respectfully request favorable reconsideration and allowance.

Acknowledgement by the PTO of the receipt of applicants' papers filed under Section 119 is noted.

Claims 1-3 have been rejected under the first and second paragraphs of Section 112. While applicants do not necessarily agree with these rejections, they are no longer applicable in view of the deletion of claims 1-3 above.

The derivatives of 4,5-dihydroxy-2-cyclopenten-1-one of formula (I) are exemplified by those of formulas (II) to (V) as described in the specification at page 12, line 20 to page 13, line 2. Also, the derivatives of 4-hydroxy-2-cyclopenten-1-one (4HCP) are exemplified by those of formulas (VI) and (VII) as well as 4-(9-adeninyl)-2-cyclopenten-1-one and 4-(9-guaninyl)-2-cyclopenten-1-one as described in the specification at page 14, lines 5-16. The structures of the derivatives of formulas (II) to (VII) are specifically described in the specification at page 15, line 1 to page 17, line 9. The new claims are in part directed to a method in which a composition containing a compound selected from these compounds is administered. Thus, those skilled in the art can carry out the claimed invention according to the disclosure contained in the present application without undue experimentation.

Claims 1-3 have been rejected as anticipated by Koyama et al WO 98/13328 (Koyama). This rejection is respectfully traversed.

According to the English language abstract of Koyama, this citation discloses a process for preparing 4,5-dihydroxy-2-cyclopenten-1-one represented by formula (I), and this compound is also recited in the referenced claim 16. However, new claim 4 calls for a pharmaceutical composition in unit dosage form containing, in unit dosage form, an amount sufficient for the treatment or prevention of a disease that requires enhancement of growth factor production, and applicants see no such disclosure in Koyama. Accordingly, Koyama does not anticipate claim 4.

Claim 5 calls for such a composition wherein the active compound is a derivation, but not the compound of formula (I). Applicants do not see such subject matter disclosed by Koyama.

While no rejection has been imposed under Section 103, and therefore obviousness is not an issue, applicants also do not see that claims 4 and 5 are made obvious by Koyama.

Applicants respectfully request withdrawal of the rejection.

The new claims 6-8 are directed to a method for enhancing growth factor production and/or interleukin-12 production. The claimed invention is based on the findings by the applicants that the compounds as recited in the claims are effective in enhancing growth factor production and interleukin-12 production. The effects of the compounds are specifically described in the specification, e.g. in the examples. Koyama does not contain any description regarding

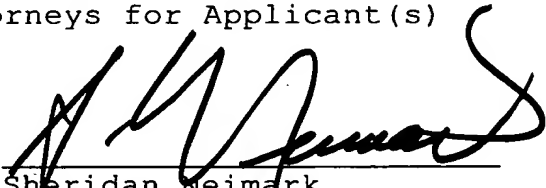
the above-mentioned effect of the compound or the method of using such compound for enhancing growth factor production or interleukin-12 production. Thus, the claimed invention is not anticipated by the cited reference.

Applicants respectfully request favorable reconsideration and allowance.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By


Sheridan Neimark
Registration No. 20,520

SN:jec
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
F:\,A\Aoyb\Ohnogil\PTO\Amend14FebRec.doc